



GP 1615  
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Docket No. J&J-2047  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susan Niemiec et al  
Serial No. : 09/939,885  
Filed : August 27, 2001  
Title : COMPOSITIONS FOR APPLICATION TO THE SKIN OR HAIR  
Art Unit : 1615  
Examiner : Gollamudi S. Kishore

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
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September 26, 2002

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

(Signature)

September 26, 2002

(Date of Signature)

Honorable Commissioner of Patents  
Washington, D.C. 20231

**RESPONSE TO RESRICTION**

Dear Sir:


In response to the Office Action of August 27, 2002 requesting restriction between Group I (claims 1-13) and Group II (claims 14-23), Applicants hereby provisionally elect Group I with traverse. M.P.E.P. § 803 states that the two criteria for a proper requirement for restriction between patentably distinct inventions are 1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is not required. Here, the Examiner has not shown that there would be a serious burden if restriction were not required. Accordingly, Applicants respectfully request the restriction requirement be withdrawn, and all pending claims be examined. Applicants await an action on the merits.

#5  
Supp  
10-9-02

Serial No. 09/939,885

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By:   
William E. McGowan  
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Dated: September 26, 2002